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## NOTICE OF ALLOWANCE AND FEE(S) DUE

71867 7590 12/08/2010

BANNER & WITCOFF, LTD  
ATTORNEYS FOR CLIENT NUMBER 007412  
1100 13th STREET, N.W.  
SUITE 1200  
WASHINGTON, DC 20005-4051

EXAMINER

SAINT CYR, JEAN D

ART UNIT

PAPER NUMBER

2425

DATE MAILED: 12/08/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,277

10/28/2003

Yong Ho Son

007412.00304

3963

TITLE OF INVENTION: SECURE DISTRIBUTION OF VIDEO ON-DEMAND

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	03/08/2011

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

71867 7590 12/08/2010

**BANNER & WITCOFF, LTD**  
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SUITE 1200  
WASHINGTON, DC 20005-4051

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,277 10/28/2003 Yong Ho Son 007412.00304 3963

TITLE OF INVENTION: SECURE DISTRIBUTION OF VIDEO ON-DEMAND

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional YES \$755 \$300 \$0 \$1055 03/08/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
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SAINT CYR, JEAN D 2425 725-087000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

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Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,277	10/28/2003	Yong Ho Son	007412.00304	3963
71867	7590	12/08/2010	EXAMINER	
BANNER & WITCOFF, LTD ATTORNEYS FOR CLIENT NUMBER 007412 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			SAINT CYR, JEAN D	
			ART UNIT	PAPER NUMBER
			2425	
DATE MAILED: 12/08/2010				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 895 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 895 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

10/695,277

Applicant(s)

SON ET AL.

Examiner

JEAN Duclos SAINT CYR

Art Unit

2425

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/17/2010.
2. ☒ The allowed claim(s) is/are 2-10 and 12-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

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## **DETAILED ACTION**

### **Allowable Subject Matter**

Claims 2-10, 12; 13-21; 22 are allowed over prior art of record. The following is an examiner's statement of reasons for allowance:

The art of record did not teach or suggest the claim taken as a whole and particular the limitation pertaining to:

Claim 12: "store in storage a video program encrypted in a first encrypted form received from one of at least one programming source which is located remote from the remote server, receive a user request from a user device, in response to receiving the user request, retrieve the video program encrypted in the first encrypted form from the storage and process the video program encrypted in the first encrypted form to produce a decrypted video program, transmit the video program in the second encrypted form to the user device using a distribution network of the content provider".

Claim 13: "process a video program encrypted in the first encrypted form received from one of at least one programming source, which is located remote from the remote server, to produce a decrypted video program, process the decrypted video program to produce a video program in a second encrypted form, store the video program encrypted in the second encrypted form in storage, receive a user request, and in response to a-the user request, retrieve the video program in the second encrypted form from storage and transmit the video program in the second encrypted form to the user device using a distribution network of the content provider".

Claim 22: "processing, by the remote server, the decrypted video program to produce a video program in a second encrypted form; storing, by the remote server, the video program encrypted in the second encrypted form in storage; receiving, by the remote server, a user request; and in response to the user request, retrieving, by the remote server, the video program in the second encrypted form from storage and transmitting the video program in the second encrypted form to the user device using a distribution

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network of the content provider”.

With respect to independent claims 12, 13 and 22; Matsuzaki et al disclose Pay information providing system for descrambling information from plural sources and re-scrambling the information before sending to a terminal or terminals, abstract. The server 2 unifies the format of the pay information by receiving and descrambling the pay information transmitted from each transmitting station TS so as to allow any terminal to use the pay information, col.13, lines 43-45. when the pay information is distributed from the server 2 to the terminal 3, it is preferable to re-scramble the pay information using a unique scramble key for each terminal. The pay information transmitted on the local bus 5 thereby becomes usable only at a specific terminal, col.13, lines 46-51.

And Matsuzaki et al disclose the server side rescrambles the pay information with the random number and further encrypts the random number with the encryption key unique to each of the terminals, and the terminal side decrypts the received encrypted random number with its own decryption key previously set and further descrambles the rescrambled pay information with the decrypted random number, col.8, lines 12-18; public encryption key, col.25, lines 22-27. And fig.1 shows a server that is located remotely from the transmitting station and that server rescrambles the video to produce a second form before transmitting it to the requested user.

And Heer et al ,the system uses bus 41 for encrypted video program and bus 61 for sharing key; col.6, lines 17-24; decrypts the encrypted program encryption key using CV. Module 50 then re-encrypts the program encryption key using its device unique key, col.5, lines 59-62; Processor then transmits the message over bus 41 for distribution to the subscriber terminals, col.7, lines 17-18.

And Redmond et al disclose the resulting media file archive 26, which has been optionally compressed, watermarked, and encrypted, is stored in the media file database 18,col.6, lines 34-36; the preferred system of the present invention

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incorporates pre-encrypted media file data stored in the media file database,col.4, lines 47-49; media file archive comprising one or more pre-compressed and pre-encrypted media data files, said server being for receiving one or more transmission requests for a selected media file from a plurality of users,col.2, lines 34-38.

And Kupka et al disclose Pre-encryption may be preferable to provide greater performance in environments where large amounts of data need to be encrypted per transaction, col.19, lines 6-9; the electronic data is encrypted during the download process to the media 28 using the unique identifier of the media 28, a vendor identifier and a user identifier as an encryption key, col.14, lines 35-38; the data is stored on the media 28 in an encrypted format using at least the unique serial number as a decryption key, col.18, lines 46-48.

But Matsuzaki in view of Heer further in view of Redmond, Kupka and any of cited references did not teach or suggest, alone or in combination the feature of “store in storage a video program encrypted in a first encrypted form received from one of at least one programming source which is located remote from the remote server, receive a user request from a user device, in response to receiving the user request, retrieve the video program encrypted in the first encrypted form from the storage and process the video program encrypted in the first encrypted form to produce a decrypted video program, transmit the video program in the second encrypted form to the user device using a distribution network of the content provider”;

“process a video program encrypted in the first encrypted form received from one of at least one programming source, which is located remote from the remote server, to produce a decrypted video program, process the decrypted video program to produce a video program in a second encrypted form, store the video program encrypted in the second encrypted form in storage, receive a user request, and in response to a-the user request, retrieve the video program in the second encrypted form from storage and

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transmit the video program in the second encrypted form to the user device using a distribution network of the content provider”;

“processing, by the remote server, the decrypted video program to produce a video program in a second encrypted form; storing, by the remote server, the video program encrypted in the second encrypted form in storage; receiving, by the remote server, a user request; and in response to the user request, retrieving, by the remote server, the video program in the second encrypted form from storage and transmitting the video program in the second encrypted form to the user device using a distribution network of the content provider” as recited in combination with other features in independent claims 12, 13 and 22

The dependent claims 2-10, 21; 14-20 are allowed because they further limit independent/parents claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Redmond et al (7301944) disclose Media File Distribution With Adaptive Transmission Protocols.

Heer et al (5999629) disclose Data Encryption Security Module.

Kupka et al (6434535) disclose System For Prepayment Of Electronic Content Using Removable Media and For Prevention Of Unauthorized Copying Of Same.



Matsuzaki et al (6289314) disclose Pay Information Providing System For Descrambling Information From Plural Sources and Rescrambling the Information Before Sending To a Terminal or Terminals.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST. If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reached on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jean Duclos Saintcyr /

/Brian T Pendleton/

Supervisory Patent Examiner, Art Unit 2425